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United Nations Mission for Justice Support in Haiti

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 2410 (2018), by which the Council extended the mandate of the United Nations Mission for Justice Support in Haiti (MINUJUSTH) until 15 April 2019 and requested me to report to the Council every 90 days on the implementation of the resolution. It covers major developments that have occurred since the issuance of my most recent report, on 30 August (S/2018/795), progress on the benchmarked exit strategy and an update on timelines for the transfer of tasks and responsibilities for handover to the Government, in coordination with the United Nations country team.

II. Major developments

A. Political developments

2. This reporting period was marked by incidents of volatility and tension, including calls for President Jovenel Moïse to step down. The two Senate commission reports of 2016 and 2017 on the mismanagement of the PetroCaribe Fund, which I detailed in my report of 20 March (S/2018/241), gave rise to widespread yet predominantly peaceful civil society demonstrations nationwide to demand greater transparency and accountability from the Government. As these protests unfolded, a civil society movement known as PetroCaribe Challenge emerged on social media in August, intensifying calls for a credible investigation and for the authorities to exert due diligence. While the movement was initially not politically affiliated, in September, the more extreme opposition parties joined the demonstrations. Online and on the streets, the rhetoric intensified and incidents of violence occurred in the capital, Port-au-Prince. The pressure continued to mount ahead of the 17 October commemoration of the assassination of Jean-Jacques Dessalines, a leader of the Haitian Revolution and the first ruler of an independent Haiti in 1804.

3. On 17 October, protesters took to the streets in considerable numbers in 31 locations across the country, with the biggest gathering occurring in the metropolitan area of Port-au-Prince (West region). As the day progressed, the initially peaceful demonstrations grew more tense and, in some instances, became violent, with widespread use of roadblocks and burning tyres. The violence was successfully contained by the national police and damage to property was limited. An estimated

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10,000 to 15,000 Haitians marched that day, the largest public demonstration in recent history. Most demands focused on the PetroCaribe Fund, and there were also calls for improved delivery of social services and for President Moïse to step down.

4. The national police reported that 2 civilians were killed and 24 injured, in addition to 19 national police officers. In addition, 46 people were arrested nationwide. Local media and politicians unanimously viewed the 17 October demonstrations as a success due to their relatively peaceful nature. International actors highlighted the professionalism of the police and the improved communications between the Government and police leadership.

5. The situation remained tense throughout the religious holiday weekend of 1 and 2 November. On 31 October, a combined funeral for six individuals, alleged to have died under various circumstances on 17 October in the Delmas 2 and Bel-Air neighbourhoods (Delmas, West region) was disrupted by shootings and road blocks, with many disturbances reported across the city. Later that day, 11 people were wounded by gunshots in the Village de Dieu area of Port-au-Prince, and a girl of 11 years of age was killed.

6. The 18 November commemorations of the 215th anniversary of the battle of Vertières (Cap-Haïtien, North region) were also marked by nationwide anti-corruption protests. In the country's main cities, demonstrations brought together relatively large crowds of people, albeit in smaller numbers than on 17 October. The protestors were notably different from the 17 October crowds, most of them being political militants echoing the calls of the opposition, with far fewer women present. Barricades of rocks and burning tyres erected by protesters were quickly cleared by the national police, and a small number of incidents were recorded. Authorities reported 6 people killed, 5 injured and 35 arrested. The leaders of the radical opposition party Secteur démocratique et populaire reported 11 people killed, 45 wounded and 75 arrested. The demonstrations were followed by a well-observed two-day general strike on 19 and 20 November.

7. President Moïse responded to the people's demands by asking that the Prime Minister provide all necessary support to the relevant institutions, specifically the justice system as it investigates the allegations regarding the mismanagement of the PetroCaribe funds. The President further emphasized that private companies found to have defrauded the State would be prosecuted, and he requested that all State officials involved in the management of the PetroCaribe funds make themselves available to the ongoing investigation.

8. On 22 October, amid growing allegations of mismanagement, President Moïse dismissed 18 close associates and advisers, including his chief of staff, who previously served as Economy and Finance Minister, citing the importance of government accountability. On the same day, Prime Minister Jean-Henry Céant announced the creation of an independent commission comprising national experts to oversee the PetroCaribe investigation and guarantee its political neutrality. However, since the announcement, national media associations, members of the PetroCaribe Challenge movement, human rights organizations and other entities mentioned by the Prime Minister as possible members of the commission publicly declined to participate.

9. Activity in Parliament was characterized by limited legislative activity in both chambers due to their failure to hold regular weekly plenary sessions. On 4 September, Parliament adopted the amended 2017–2018 budget, revised after fuel subsidies were reintroduced following violent unrest against the measure from 6 to 8 July. The revised budget forecasts a 10 per cent increase in spending, or approximately $150 million, together with a drop in fuel revenues of approximately $100 million. The draft law on the creation, organization and functioning of the National Council on Legal Aid, promulgated on 26 October, sets the legal framework

for access to legal advice for Haitians regardless of their social status. This long overdue piece of legislation represents an important milestone in the effort to reduce pretrial detention rates. The second ordinary session of the legislative year closed on 10 September, with 8 draft laws voted and transmitted to the executive for promulgation, bringing the year's total to 19. Following his appointment as Prime Minister on 5 August, Jean Henry Céant's cabinet received a vote of confidence in an extraordinary session of the National Assembly on 15 and 16 September.

10. The new Cabinet consists of 25 ministers, secretaries of state and delegate ministers, including 6 women. Women thus account for only 24 per cent of the Cabinet, which is lower than the 30 per cent minimum quota prescribed in the Constitution. The female ministers have been appointed to ministries traditionally occupied by women: Tourism, Haitians Living Abroad, Social Affairs and Labour, Public Health and Population, Women's Affairs and Women's Rights, and Human Rights and the Fight against Extreme Poverty, which seldom play a role in strategic government decision-making. The new Government includes six ministers and three state secretaries from the previous Government.

11. Despite the reappointment of the Minister of Justice and Public Security, relationships between the judiciary and the executive branches remained tense, resulting in delays in the appointment of judges. A total of 66 judges were appointed by the President during the period under review. Nonetheless, according to the Superior Council of the Judiciary, at least 70 more judges should be appointed to ensure that all courts are functioning normally. In parallel, since 11 October, the lawyers of the Port-au-Prince Bar Association launched a strike demanding the recall of the Port-au-Prince Public Prosecutor and the arrest of the West region director of the national police and other police officers accused of police brutality against lawyers.

B. Economic situation

12. Macroeconomic indicators continued to deteriorate during the reporting period. Failure to reform the fuel price subsidies weakened an already low domestic revenue mobilization, inducing a serious budget deficit as expenditures rose. By the end of August, fuel subsidies and transfers to the state electricity utility amounted to 2.2 per cent and 1.5 per cent of the gross domestic product, respectively, while spending on education and health combined represented 2.4 per cent. As a result, the budget deficit is now expected to reach 4 per cent of the gross domestic product. Inflation reached 14.1 per cent at the end August. The Haitian gourde's depreciation against the United States dollar continued, closing at a commercial exchange rate of 1 dollar to 73 gourdes by 22 October, a 10.4 per cent devaluation since October 2017.

C. Humanitarian situation

13. On 6 October 2018, an earthquake of 5.9 magnitude struck the northern part of Haiti, with the epicentre located about 20 kilometres north of Port-de-Paix (North-West region). According to the Directorate of Civil Protection, the earthquake caused 18 deaths, 548 wounded, destroyed 1,417 houses, damaged 9,717 houses and affected 11,134 families in the North-West, North and Artibonite regions. The affected population required shelter, kitchen, water, sanitation and hygiene kits. The Government mobilized its resources to assist the population.

14. In the immediate aftermath, the United Nations humanitarian agencies, jointly, and in support of the Directorate of Civil Protection, visited some of the affected areas to assess the damage and identify areas of potential support to national authorities. MINUJUSTH assisted national rescue efforts by supporting the national police in the

affected areas and through the deployment of its drone unit. In the wake of the earthquake, the Government announced the intention to create a permanent multisectoral crisis management mechanism under the leadership of the Prime Minister's office to improve coordination, including of humanitarian aid, in line with the Government's interest in a new paradigm for international assistance. The international community reiterated its long-standing support and continued commitment to investing in the strengthening of the Directorate of Civil Protection.

15. The United Nations continued to support the Haitian authorities' response to combat cholera under the umbrella of the national plan for the elimination of cholera. In a promising development, the number of cases did not increase significantly during the rainy season. Although suspected cholera cases continue to be reported throughout the country, new suspected cases nationwide dropped to an average of 46 cases weekly in September and the first week of October, compared to 301 weekly suspected cases during the same period in 2017. The suspected weekly caseload at the peak of the outbreak in 2010 was over 18,500.

16. Despite this progress, it is critical that the intensified cholera control efforts are maintained to continue saving lives and reducing the transmission of cholera in line with the targets set in the national plan. The rapid response teams from the Ministry of Public Health and Population, supported by the United Nations Children's Fund (UNICEF), have been instrumental to the successes in fighting the disease. An early reduction in the number of response teams poses a risk that cholera might spread again. Under track 2 of the new United Nations approach to cholera, the United Nations Development Programme (UNDP) is concluding local consultations in Mirebalais to provide material assistance to those most directly affected by the disease. UNDP and the United Nations Office for Project Services (UNOPS), supported by the Office of the Special Envoy for Haiti, UNICEF and MINUJUSTH, are preparing a follow-up to the pilot phase, to provide other severely affected communities with similar support.

17. Special attention continued to be given to reinforcing local capacities for emergency preparedness. On 6 October, with the support of the United Nations Population Fund (UNFPA), 30 health and protection experts from the final 3 of the 10 regions in the country completed the certification on the Minimum Initial Service Package for Reproductive Health in emergencies, bringing the total to 100 experts trained across the 10 regions.

18. According to the partial results of the Integrated Food Security Phase Classification conducted in October 2018 in drought-affected areas, 5 per cent of the population analysed (145,078 people) are in an emergency phase, and 25 per cent (629,082 people) are in a crisis phase, representing approximately 30 per cent of the population analysed. Projections of the situation indicate that from October 2018 to February 2019, 774,159 people will be food insecure and in need of assistance.

19. The 2018 humanitarian response plan, which is aimed at reaching 2.2 million Haitians with humanitarian and protection assistance and requires $252.2 million, was only 11.2 per cent funded as at 23 November 2018.

20. On 20 September, the evaluation phase of the long overdue population and housing census in Haiti was finalized, marking the transition to the main phase. After more than 15 years, with the support of UNFPA, the census will provide a much needed update of the national database on demographics, socioeconomics, gender and housing conditions. These are essential for the country and the international community to establish new baselines for more effective and sustainable policies that save lives and ensure a more informed approach to helping Haiti eradicate extreme poverty and embrace the challenge of reaching the sustainable development goals.

III. Mandate implementation

21. As requested by the Council in its resolutions 2350 (2017) and 2410 (2018), MINUJUSTH established a mechanism to monitor progress in the implementation of its benchmarked two-year exit strategy and transition to a non-peacekeeping United Nations presence. The data collection and analysis for the 46 indicators outlined in my previous report continue to be conducted in collaboration with the United Nations country team and national stakeholders, using the existing monitoring and evaluation mechanisms of the United Nations Development Assistance Framework. This joint monitoring mechanism, which enhances the coordination of actions planned by MINUJUSTH and the United Nations country team in support of the Government, will further facilitate the transfer of tasks and responsibilities. The progress made during the reporting period is outlined in annex I to the present report.

22. Against the backdrop of demonstrations throughout the reporting period, and in view of the elections planned for the fourth quarter of 2019, MINUJUSTH continued to use its community violence reduction programme to mitigate pockets of violence in "hot spot" areas in Port-au-Prince and its outskirts. In fragile neighbourhoods affected by a lack of socioeconomic opportunities and limited access to basic services, including the police and justice systems, and prone to persistent gang violence, idle and disfranchised young men and women represent easy recruits who can be used to trigger violence in public protests to serve political and/or criminal interests. The programme involved community members, in particular at-risk youth and women living in the most marginalized neighbourhoods, in planning and implementing high labour-intensive and income-generating activities to stabilize and improve security in neighbourhoods under gang control.

23. MINUJUSTH initiated three separate community violence reduction projects, in Martissant and Carrefour-Feuille, southern neighbourhoods of Port-au-Prince, implemented by both national and international non-governmental organizations. Thus far, a total of 2,242 women and 2,058 men are enrolled in activities such as football tournaments, capacity-building for community leaders, neighbourhood-based dialogues to promote peace and access to education.

24. These initiatives, which offered temporary livelihood opportunities to youth, complemented the national police's security stabilization efforts by raising community awareness on security and rule of law issues as well as increasing community trust in the national police and rule of law institutions. For instance, in Port-au-Prince, internships and vocational training opportunities had been offered to 151 at-risk youth, in partnership with 70 local businesses, and in the Centre region, 288 young women and men from marginalized communities had participated in the construction of an agricultural road. The national police are now able to easily provide community policing services through activities undertaken within the framework of community violence reduction projects.

25. MINUJUSTH is also supporting the implementation of community violence reduction projects in the North, North-West and Centre regions, which focus on income-generating and highly labour-intensive activities. These include vocational and on-the-job training, capacity-building in small business management and support to direct beneficiaries for the development of income-generating activities. As at 7 November, 691 women and 599 men had taken part in those activities.

26. Increasing the understanding of the rule of law remains a key priority. Since 1 September, MINUJUSTH mobile teams, with funding from the community violence reduction programme, has supported seven conferences and town hall debates throughout the country to raise community awareness of the rule of law. A total of 23 such activities have been held thus far, in which more than 4,500 people, including

1,436 women, have participated. On the basis of assessments by mobile teams, 11 quick-impact projects were initiated to improve the facilities of rule of law institutions, including courts, prisons and police posts, as well as water treatment in prisons, toilet construction in detention cells and the construction of prison fences and watchtowers.

27. Under the joint rule of law programme, the Mission and the United Nations country team continued to support the rule of law institutions in line with the MINUJUSTH mandate. The programme helped to renovate and equip police stations, strengthened the case management system of the Inspector-General of the Haitian national police, and supported oversight and accountability bodies, such as the Superior Council of the Judiciary, the Ministry of Justice and Public Security, the Directorate of Prison Administration, the Office of the National Human Rights Ombudsperson, the Interministerial Committee on Human Rights and civil society, through the use of programmatic funding.

28. MINUJUSTH finalized its protection of civilians strategy and its second forward-looking assessment of threats to civilians covering the period October to December 2018, in consultation with humanitarian actors. These include human rights violations by the national police, violence resulting from gang activity and violence triggered by major civil unrest, massive deportation or the spontaneous return of Haitian migrants, and natural disasters.

A. Security and police developments (benchmarks 1, 4, 5 and 6)

29. There were 108 largely peaceful demonstrations related to the PetroCaribe Challenge movement during the reporting period, 23 of which were in the metropolitan area of Port-au-Prince. Data sourced from the national police shows that the rate of homicide had decreased 4.2 per cent since my previous report and, as at the time of publication of the present report, is now at 6.22 per 100,000 inhabitants, one of the lowest in the Caribbean region. Over half of these homicides occurred in the Port-au-Prince metropolitan area.

30. The efforts by the national police to ensure the safety of the population continued to be operationally challenged by gangs operating in areas of the capital. Despite the commitment of the national police hierarchy to tackle gangs, neighbourhoods such as Martissant, which are densely crowded, pose significant impediments to improving the safety of a population that is suffering from poor socioeconomic opportunities and particularly vulnerable to criminality and insecurity. On at least two occasions, national police officers accompanied by a MINUJUSTH formed police unit were fired upon during patrols in gang-ridden neighbourhoods without sustaining injuries or damage.

31. During the planned demonstration on 17 October in Port-au-Prince, a group of violent demonstrators attempted to force entry into the World Bank and UNFPA offices, throwing stones and injuring a private security guard. Two surveillance cameras were also stolen. In Saint Marc (Artibonite), three United Nations formed police unit officers were injured by stones thrown at them, and seven police officers assigned to the public order unit suffered lacerations from stones in Cap-Haïtien. On 18 November, a small number of incidents were recorded.

32. The Mission provided operational support to the national police by participating in 290 joint temporary checkpoints, 528 foot patrols, 576 vehicle patrols and 5 joint police operations. The Mission also provided support in 12 crowd-control operations related to protests in Port-au-Prince and other cities. The national police specialized units continued to show progress in terms of operational planning, coordination and

compliance with principles on the use of force and respect of human rights as outlined in the national police strategic development plan for the period 2017–2021.

33. MINUJUSTH supported the national police in an operation conducted in Village de Dieu (southern Port-au-Prince, West region) in an attempt to regain control of the zone and capture a gang leader operating in that area. The operation, which took place on 3 November, mobilized 140 officers from national police specialized units. In addition to assisting in planning the operation, MINUJUSTH supported the police in securing and conducting surveillance of the perimeter with a drone unit, five formed police unit sections and armoured vehicles. A formed police unit armoured vehicle was shot at during an exchange of gunfire between the national police and gang members. No injuries were reported. The operation continued from 4 to 5 November, with an increased presence by the national police and MINUJUSTH formed police units in the area, in particular through patrols on Route Nationale 2 and inside Village de Dieu.

34. The national police strategic development plan for the period 2017–2021 has experienced a slow rate of implementation during its first year. Among the primary causes for the limited progress was the insufficient funding committed by the Government of Haiti and international donors. At the onset, the Haitian Government committed to cover 55 per cent of the funding of the five-year plan, but thus far has provided only 8 per cent of its required financial resources for the 2017–2018 fiscal period. Likewise, main donors have only contributed 15 per cent of their first-year financial commitment. This has resulted in some complex priority actions of the plan not being completed, with an overall implementation rate of 27.6 per cent for the first year and progress on 90 of the remaining 108 activities.

35. Since the adoption of the strategic development plan, a total of 42 infrastructure projects have been implemented, enabling the national police to increase their presence in the municipal sections. During the reporting period, 15 infrastructure projects in support of the national police were ongoing, 4 of which were financed by the Government of Haiti, 4 through the Mission quick-impact projects, 3 through the joint rule of law programme and 4 through bilateral cooperation. Increasing national police facilities across the country is a key aspect in ensuring the effective presence of the national police and reducing insecurity, but also for improving the working conditions of police officers.

36. Following the graduation on 19 September of 692 cadets, the total number of police officers nationwide increased to 15,735, including 1,568 women (10 per cent). This brings the police-officer-to-population ratio to 1.37 police officers per 1,000 inhabitants, which is still below the United Nations standard of 2.2 per 1,000. Nevertheless, this represents an important milestone in achieving the targeted ratio of 1.45, and at least 11 per cent of women, by October 2019. The percentage of police personnel deployed outside the Port-au-Prince metropolitan area has reached 34.2 per cent, a 4.5 per cent increase from my previous report. As part of the continued effort to increase the number of police officers, the national police announced that it had enrolled 658 applicants, including 132 women, for its 30th promotion, whose training should start before the end of 2018.

37. As part of the joint project by MINUJUSTH and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) to establish a gender-sensitive recruitment mechanism for the national police, activities are under way to identify marginalized communities in which young women will be encouraged to apply. Through its community violence reduction programme, the Mission also supported community mobilization against sexual and gender-based violence in the Artibonite, Grand'Anse and South regions. As at 20 November, 30 moderators from 15 local organizations carried out 59 sensitization sessions for 3,012 direct

beneficiaries, to raise awareness among the general population on sexual and gender-based violence and on reporting such cases.

38. The fourth international seminar on the fight against sexual and gender-based violence, organized jointly by the Mission and the national police, took place from 8 to 10 October at the Haitian National Police Academy in Port-au-Prince. My Special Representative, international speakers, prosecutors and various United Nations organizations and civil society in Haiti participated in the seminar. The topics included human trafficking, sexual and gender-based violence, including domestic violence, justice and the functioning of the penal chain, and victim protection. Likewise, with the goal of enhancing the capacity of the national police to prevent and investigate cases of sexual and gender-based violence, in November, three workshops were held in the metropolitan area of Port-au-Prince with key stakeholders in the penal system.

39. As requested in resolution 2410 (2018), preparations for the withdrawal of two formed police units in December are under way, with arrangements in place for the national police to take over residual operations where the United Nations presence will be reduced. The Mission will update the security transition plan in the coming weeks to provide information on the repatriation of other formed police units. The national police has committed to ensuring a smooth drawdown of the formed police units in 2019, through a continued assessment of the security situation across the country, in close coordination with the United Nations country team and international donors.

B. Justice (benchmarks 1, 2 and 5)

40. During the period under review, important progress was made on the legislative front, such as the promulgation of the legal aid law. On the institutional front, advances were made regarding the timely review of criminal cases and the commitment of the Ministry of Justice and Public Security to replicate the coordination mechanism of the Port-au-Prince jurisdiction nationwide. Prolonged pretrial detention rates persisted, particularly in jurisdictions with poor access to justice and where monitoring of the caseload of judges and prosecutors is weak.

41. As at 23 October, the proportion of detainees in pretrial detention in excess of two years was 63.6 per cent, compared to 61.1 per cent in the previous reporting period. To address this situation, several initiatives are being put in place. At the August meeting of the penal chain committee of Port-au-Prince, which brings together all rule of law actors on a monthly basis, the Ministry of Justice and Public Security took steps towards facilitating the delivery of the sentencing orders necessary for the release of convicted persons who had already completed their sentence. A ministerial committee is also being established to list inmates and their periods of detention, in order to identify those for whom detention is no longer justified.

42. During the same period, MINUJUSTH continued to provide technical support to four legal aid projects providing access to justice to vulnerable individuals financed by its community violence reduction programme. The two legal aid offices of the Port-au-Prince Bar Association opened 2,249 new cases, held 1,961 consultations, filed 100 habeas corpus requests and contributed to the release of 250 pretrial detainees during the reporting period. A third legal aid project started its activities at the centre for the re-education of minors in conflict with the law and created a registry of all 89 detained minors, with 54 cases opened and two workshops held for lawyers and judges to improve the handling of cases involving minors. Similarly, a pilot multidisciplinary legal aid project at the women's prison of Cabaret (West region),

launched by UN-Women in 2017, was expanded in September to provide legal assistance and psychosocial support to all the 258 women and girls in detention. The investigating judges issued 14 orders; nine releases were obtained through this project (after 5, 6, 7 and 11 months of extended detention, respectively).

43. In the Port-au-Prince jurisdiction, prosecutors, investigating judges and the court of first instance are on track to achieve the benchmarked indicators related to access to justice. Between October 2017 and September 2018, prosecutors received 1,080 penal cases. In 41 per cent of them (444 cases), the prosecution decided whether to present charges or to close the file the same day that the case was filed. In 43 per cent of those cases, processed in real time, charges were dropped. During the same period, investigating judges closed 365 files. During the 2017–2018 judicial year, the 22 investigating judges closed over 16 cases each, a yearly average of 1.3 cases per investigating judge per month. The court of first instance did not hold hearings during the reporting period, owing to judicial vacations between 30 June and 30 September.

44. The court of first instance and the court of appeal of Port-au-Prince have not been operational since 10 October when the Bar Association of Port-au-Prince decided to suspend the pleadings and blocked access to the courts. The lawyers are protesting violent responses by national police officers on 2, 4 and 9 October. They are also requesting that the chief public prosecutor be dismissed for not initiating legal proceedings. This situation is of concern and if not resolved could have a negative effect on the performance of these jurisdictions and that of the legal aid offices. Despite these developments, the court of first instance has adjudicated a total of 437 penal cases since October 2017.

45. A disagreement between the Superior Council of the Judiciary and the executive branch resurfaced during the reporting period. In an open letter to President Moïse dated 10 September, the Council warned of the negative impact that delays in the appointment of judges could have on the justice system. The Government noted that the delays were due to the conduct of thorough background checks and, on the eve of the start of the 2018 judicial year on 1 October, appointed 36 judges and, on 22 October, 30 more. On 30 August, the Senate launched a second call to fill vacant seats on the Cour de cassation on 30 August, as the partial list previously submitted to the Government would allow for only four of the six vacant seats to be filled.

46. In addition to the delays in the appointment of judges, the National Association of Magistrates threatened to go on strike if their request for a salary increase was not taken into consideration by the presidency. The recent ad interim appointment of Ocnam Clamé Daméus as the Director of the Directorate of Judicial Inspections of the Superior Council of the Judiciary, a position that has been vacant since April 2016, when it was created, raised some concerns in certain sectors of civil society, as he is the Superior Council councillor representing all prosecutors of the courts of first instance.

47. The adoption of the law on legal assistance by the legislative branch on 10 September and its promulgation on 26 October constituted a major step that will significantly improve access to justice. In order to create a framework for the implementation of the law, the Ministry of Justice and Public Security established a technical committee, to which MINUJUSTH is contributing. The Committee will support the Ministry in the diffusion and implementation of the law by developing an action plan and a budget and designing rules, regulations and application tools.

48. MINUJUSTH, in accordance with its mandate, has also continued its support to the control bodies of the Ministry of Justice and Public Security and the Superior Council of the Judiciary to strengthen their oversight and discipline functions. MINUJUSTH provided assistance to the Ministry in its inspection services through a series of activities, to perform inspection missions, in the public prosecutor's offices

in the 18 courts of first instance and 5 courts of appeal during the judicial year 2018–2019. MINUJUSTH supported one workshop on performance indicators and inspection tools for prosecutors, held from 2 to 4 October, another one on the development plan of the judicial inspectorate, held on 10 and 11 October, and one on capacity-building and exchanges of experiences, held on 24 and 25 October. In addition, MINUJUSTH provided technical assistance and supported the directorate of the judicial inspectorate of the Superior Council of the Judiciary, for a five-day retreat, held from 8 to 12 October, on the careers and evaluation of magistrates.

49. In the framework of the joint rule of law programme, MINUJUSTH and UN-Women provided training on the impact of prolonged pretrial detention of women and girls to 80 penal system officials from nine jurisdictions. The training also included information on international and regional human rights instruments such as the American Convention on Human Rights.

C. Corrections (benchmarks 1, 3 and 5)

50. While important steps have been taken towards enhancing the administrative, managerial and operational capacities of the Directorate of Prison Administration and to improve detention conditions, the draft prison law aimed at the improvement of prisons and the organic law elevating the Directorate of Prison Administration to a central directorate within the national police, with its own financial and administrative autonomy, have not made much progress. The final draft of the prison law is pending validation by the Director-General of the national police, and the organic law is under review by the Minister of Justice and Public Security. Increased political engagement and enhanced use of good offices of the Special Representative of the Secretary-General support efforts to achieve this goal.

51. As at 15 October, the Directorate of Prison Administration was responsible for a total of 11,755 detainees, including 417 women, 278 boys and 15 girls. The occupancy rate stood at 364 per cent, based on the national standard of 2.5 square metres per detainee. The international standard is 4.5 square metres. Extreme overcrowding and poor hygiene conditions in most facilities have contributed to health problems among detainees, such as skin diseases, tuberculosis, diarrhoea and urinary tract infections. The death rate among detainees has increased from 8 per 1,000, as noted in my most recent report, to 11.8 per 1,000 on a projected yearly basis, as at 15 October. The three leading causes of death among detainees are tuberculosis, malnutrition and cardiovascular diseases. The increase in the death rate is mostly due to irregular food deliveries and a shortage of medical staff and medication. Regular payment of suppliers has remained a challenge over the past years. Increased financial and administrative autonomy for the Prison Administration could help to prevent those recurring challenges. The Prison Administration, with support from MINUJUSTH, is implementing the medical road map and the emergency health directives, developing stronger partnerships with the Ministry of Public Health and Population, the World Health Organization and the non-governmental organization Health through Walls

52. The Prison Administration is also implementing a targeted and dedicated recruitment and training strategy, in preparation for the autonomous management of its financial, administrative and human resources. Accordingly, 61 new police graduates, including 9 women, will join the penitentiary service, after undergoing a specialized eight-week training course. This will increase the number of prison officers from 1,182 to 1,242. Furthermore, the Prison Administration is developing a staff performance appraisal tool and has started implementing it in five prisons.

53. The Prison Administration, with the support of MINUJUSTH, elaborated the terms of reference and criteria to certify that prisons operate following national and international norms regarding, inter alia, detention conditions, security, administrative management and reintegration, and are therefore able to operate without full-time support from international actors. A workshop was held on 5 September for 23 senior staff of the Prison Administration and Haitian national police, to sensitize them on the certification criteria and to promote national ownership of the process.

D. Human rights (benchmarks 4, 5, 6, 7, 8 and 9)

54. The new Prime Minister appointed a Minister-delegate for Human Rights and the Fight against Extreme Poverty on 17 September, effectively reinstating the position that had been discontinued in December 2014. The Minister-delegate has taken over the responsibility of human rights focal point in the Government, including by leading the Inter-Ministerial Committee for Human Rights and preparing a national human rights action plan. This appointment is an important development brought about by the combined advocacy of the High Commissioner for Human Rights and the Mission's leadership. MINUJUSTH is in the process of hiring an expert to assist the Inter-Ministerial Committee in the elaboration of the national human rights action plan.

55. In September, Haiti announced its accession to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. The accession to the Conventions follows recommendations of the country's 2016 universal periodic review. Haiti's accession is of particular importance, as it comes at a juncture in which thousands of Haitians are being deported from countries of the region. According to information released by Dominican authorities, 21,707 Haitians were deported or forcibly returned to Haiti from the Dominican Republic during the months of August and September. In 2018, the migratory movements on the border between Haiti and the Dominican Republic intensified, and a total of 80,832 Haitians were deported or turned back at the border between January and July. On 27 August, Dominican authorities announced that the national regularization plan for foreigners was terminated, following two extensions.

56. The General Inspectorate of the national police, with support from MINUJUSTH, is in the process of standardizing its criteria as part of the process to improve accountability for human rights violations committed by the national police. Between 1 July and 30 September, the General Inspectorate conducted administrative investigations of 93 per cent of the allegations of human rights violations received. During the reporting period, MINUJUSTH monitored 15 incidents of human rights violations allegedly committed by the national police, which resulted in 51 casualties. Most incidents pertained to allegations of excessive use of force and ill-treatment of detainees following arrest. The Inspectorate has opened administrative investigations into 14 of these incidents. While in most cases no judicial proceedings were initiated, in four incidents the officers allegedly responsible were arrested and face prosecution. This reflects an improvement in relation to the previous reporting period, in which only one incident proceeded to the prosecution stage but will still require the sustained commitment of relevant authorities to ensure that 100 per cent of confirmed crimes or human rights violations committed by national police and Directorate of Prison Administration officers are prosecuted. The Mission will continue to advocate for full and transparent accountability for these incidents.

57. In August, as part of the Mission's efforts to reduce community violence, MINUJUSTH delivered a training in Hinche (Centre region) to reinforce the capacity of local non-governmental organizations to monitor and report on allegations of human rights violations. In a follow-up workshop in October, the participants

demonstrated a deeper knowledge of the subject matter. Similar trainings were delivered in Les Cayes (South region) and Gonaïves (Artibonite region) to staff of the Office of the National Human Rights Ombudsperson. MINUJUSTH also provided technical support to the Inter-Ministerial Committee for Human Rights in organizing a workshop, held in October, on the elaboration of the second report by Haiti to the Human Rights Committee regarding its implementation of the International Covenant on Civil and Political Rights. During the reporting period, local non-governmental organizations have submitted two complaints to the special procedures of the Human Rights Council.

58. In a follow-up to a colloquium organized in September 2017 by the Office of the United Nations High Commissioner for Human Rights, in October MINUJUSTH held a workshop on the fight against impunity for past human rights violations for representatives of civil society organizations. The aim was to identify concrete actions that non-governmental organizations can take to advance the fight against impunity, including their role in preparing the national work plan on impunity.

F. Anti-corruption and Permanent Electoral Council (benchmarks 10 and 11)

59. At the end of October, the Provisional Electoral Council submitted a draft organic law to the Government regulating the Permanent Electoral Council. The draft included comments made by the Government on a previous version of the bill. The updated draft law was submitted to Parliament on 14 November. In the absence of a permanent council, the Provisional Electoral Council could organize the legislative elections, which are to renew one third of the Senate and the full Lower Chamber. Both President Moïse in his statement to the General Assembly on 27 September and Prime Minister Céant in his policy statement of 5 September committed to the holding of the elections in October 2019, in accordance with constitutional requirements, while no mention had been made of municipal elections as at the date of publication of the present report. In this regard, the new Government included a Minister-delegate for Electoral Affairs, Patrick Sully Joseph. The specific budget for the 2019 elections was also still under review by the executive.

60. In a letter to my Special Representative dated 25 October, the Government requested the assistance of the United Nations system in Haiti for the organization of the October 2019 elections, noting that the support of the international community in terms of human, material and financial resources would be indispensable. In the same letter, the Government indicated its readiness to welcome a needs assessment mission, aimed at establishing the conditions for technical and operational support and identifying potential partnerships with the international community. Preparations are under way to deploy a team to undertake the needs assessment in early December.

61. Regarding the measures implemented to prevent corruption, the finalized 2017–2018 public expenditure financial report, the drafting of which was supported through the joint rule of law programme, is pending publication. UNDP will continue to provide support for the drafting of the 2018–2019 report under the joint rule of law programme.

IV. Joint transition planning

62. The Prime Minister and the Special Representative of the Secretary-General and Head of MINUJUSTH established a joint commission composed of advisers of the Prime Minister and Mission staff, with the active participation of United Nations agencies, funds and programmes. The aim of the joint commission is to remove

bottlenecks in the implementation of the MINUJUSTH mandate and exit strategy and to make progress on common priorities. During the reporting period, the joint commission met on three occasions to discuss the sustainability of progress beyond the withdrawal of the Mission with regards to, inter alia, prison overcrowding, prolonged pretrial detention, support to the justice sector and the reduction of community violence. The joint commission has made progress in increasing government understanding of the MINUJUSTH transition process, obtaining agreement for the construction of two tribunals in vulnerable areas of the greater Port-au-Prince metropolitan area, and at the request of the Government, the launch of a dialogue on the electoral process.

63. MINUJUSTH and the United Nations country team continued to prepare for the transition to a non-peacekeeping presence in the country beyond 15 October 2019. A joint resource mobilization strategy, based on the United Nations Development Assistance Framework for 2017–2021, is being developed by the country team, in collaboration with MINUJUSTH and Headquarters, to support the implementation of its strategic priorities while also taking into account specific requirements, in particular those arising from the new United Nations approach to cholera. The resource requirements will be refined through the finalization of the joint work plan on governance and the rule of law (outcome 5 of the United Nations Development Assistance Framework) for 2019–2020 that will bridge the transition period. While this joint work plan is on track to be finalized by 15 December, the resource and financing gap will require it to be further aligned with the outcome of the strategic assessment requested in resolution 2410 (2018), to be presented in my next report.

64. A transition programming task force supports the development of the joint work plan on governance and the rule of law. The integrated policy and planning group, the coordination body that brings together the senior leadership of the Mission and the United Nations country team and provides strategic direction on peace consolidation efforts and transition, created the task force and placed it under the leadership of my Deputy Special Representative, Resident Coordinator and Humanitarian Coordinator. It seeks to support the Mission and the country team in analysing institutional capacities and additional capacities required by the United Nations following the withdrawal of the Mission and drafting programme and project documents for the country team.

V. Mission support

65. Former MINUSTAH sites that are no longer required for MINUJUSTH have been closed. Mission Support continues to maintain 26 locations: Mission headquarters, police headquarters, seven camps occupied by formed police units and 17 United Nations Police co-locations with the national police. Pre-planning activities to assess the scope of drawdown requirements in preparation for the transition have been initiated. Implementation of the December 2018 repatriation of two formed police units is in progress, which will be followed with activities to close and hand over the respective vacated camps in early 2019.

66. Mission Support continues to implement the supply chain management optimization activities to facilitate the upcoming drawdown. This comprises the reconciliation of large quantities of surplus inventory (expendable and non-expendable) that were transferred from MINUSTAH and effective reduction of the asset holdings to align and meet the mandated requirements of MINUJUSTH. As a priority, the identified surplus will follow the asset disposal strategy of directly supporting projects with the United Nations country team and programmatic activities in the context of the transition and mandate implementation.

67. Efforts to outsource ancillary services such as engineering, environmental and waste management, camp management and maintenance, vehicle maintenance and repairs have been hampered by limited local service provider capacity in Haiti. Operational adjustments have been necessary to sustain the provision of basic mission support services, which have resulted in unforeseen higher costs associated with international outsourcing options. This includes the establishment of on-site services performed by UNOPS contracted personnel. This solution ensures essential and responsive service provision whilst supporting the established lean staffing structure of the mission support concept, as well as facilitating the necessary agility and efficiency required during the draw down and transition of the mission.

VI. Conduct and discipline

68. No new allegations of sexual exploitation and abuse have been reported. MINUJUSTH continued the implementation of the three-pronged conduct and discipline strategy for all categories of United Nations personnel. The Mission pursued its prevention activities, including training, risk assessment and public information, to sensitize the Haitian population to United Nations standards of conduct, in particular the zero-tolerance policy on sexual exploitation and abuse, complemented by remedial action. As part of the remedial action, the Mission maintained continuous communication and referral for assistance of the victims of sexual exploitation and abuse.

VII. Observations

69. The unfolding of the 17 October and 18 November demonstrations is a sign of the capacity of the national police to professionally control crowds demonstrating throughout the country. The vigorous debate that is currently taking place regarding accountability for the use of the PetroCaribe funds should encourage civil society and the opposition to engage in a constructive dialogue, and the Government to demonstrate with concrete actions its willingness to address the demands of the population. Such dialogue may in turn sustain the basic requirements for the long-term stability of the country.

70. To maintain that momentum, it will be critical that concrete action be taken to address corruption, including the allegations of mismanagement of the PetroCaribe funds. A key indicator of progress will be the ability of the judiciary to complete the investigations and bring charges as needed against those individuals and companies that have allegedly defrauded the Haitian people. In this regard, I welcome the declaration of the Superior Court of Audits and Administrative Disputes that their report will be ready by January 2019, and I encourage the Superior Council of the Judiciary to ensure that magistrates under its jurisdiction enjoy the necessary independence to conduct the required judicial proceedings. Failure to do so in an effective manner would contribute to the destabilization of the country. At this critical juncture, it is essential that actors from across the political spectrum, from all branches of Government and from civil society work together for the common good.

71. The holding of 2019 elections will be a crucial milestone for the stability of Haiti. I welcome the Government's commitment to hold the elections on schedule, and I take note of its request for electoral assistance from the United Nations. I encourage the Haitian authorities to swiftly adopt the electoral law, update the electoral lists and pass the electoral budget to pave the way for credible, timely and inclusive elections. I also encourage all political actors and civil society to engage in a constructive dialogue towards peaceful elections.

72. Delays in the adoption and implementation of State programmes and the slow-moving legislative process continued to contribute to a lack of public confidence in the country's institutions and to deter internal and external private investment critical to fostering sustainable development, ultimately increasing the challenges to be overcome by the people. If not addressed, those conditions will bring further destabilization and divert Haiti from its path towards achieving the 2030 Agenda for Sustainable Development. Immediate assistance, in particular to reinforce social safety nets, will be crucial in the coming months. Enhanced collaboration between the executive branch and the parliament, possibly including through the establishment of a coordinated legislative agenda for the legislative year 2019, would also bring momentum to the legislative process.

73. The decades-old phenomenon in Haitian prisons of severe overcrowding and poor conditions owing in part to recurrent arrests pending legal recourse and the effects of the malfunctioning of the judicial system must be tackled with renewed energy, effort, political will and adequate resources. At the same time, renewed efforts will be required to adequately confront the persistent phenomenon of gang violence in Haiti, including by engaging affected communities in violence reduction programming.

74. Despite the integrated efforts of the Government and the United Nations system in Haiti, much remains to be done to achieve the objectives of the MINUJUSTH exit strategy. I am concerned that the achievement of a substantial number of indicators remain elusive, especially regarding the adoption and implementation of legislation deemed critical for the consolidation of the rule of law in Haiti. Sustained efforts by the leaders and people of the country, with the support of MINUJUSTH, the United Nations country team and the wider international community, will be required to ensure a smooth and effective transition to a non-peacekeeping presence in the coming year.

75. Progress must also continue in consolidating the rule of law. Maintaining a stable political environment and keeping reform priorities on track are instrumental to that end. A renewed commitment by both the Government and the international community to the adoption of the strategic plan by the Superior Council of the Judiciary and the allocation of budgetary resources for its implementation are some of the necessary steps. Efforts must be redoubled to ensure that the benchmarks are attained and form a solid foundation on which to strengthen the rule of law, consolidate stability and advance towards sustainable development.

76. MINUJUSTH will continue to work with government officials, the international community and civil society organizations to support dialogue efforts through the good offices of my Special Representative. Broad cooperation between relevant stakeholders, including the private sector and civil society, and enhanced communication between the Haitian institutions and the public are key to ensuring success in addressing priority tasks, including the adoption of short-term measures that can respond to the immediate needs of the people.

77. In conclusion, I would like to express my sincere gratitude to my Special Representative for Haiti, Helen Meagher La Lime, and the women and men of MINUJUSTH for their courage and dedication in consolidating the rule of law and promoting human rights in Haiti, as well as to those Member States that have provided police personnel for the Mission.

Annex I

Benchmark indicators, targets and baselines

Symbol	*Equivalent*	*Symbol*	*Equivalent*
	On track to achieve target by the timeline		Challenges expected to achieve target by the timeline but with a descending trend
	Challenges expected to achieve target by the timeline but with a positive trend		No progress/Not on track to achieve target by timeline
	Challenges expected to achieve target by the timeline but with a stagnating trend		No update on progress was expected during the reporting period

Benchmark	*Indicator*	*Target timeline*	*Target*	*Update as at 15 October (or otherwise specified)*	*Trend*
1. The executive and legislative branches have promulgated legislation that improves access to justice, enhances the development of the national police and addresses prolonged pretrial detention, which is a cause of prison overcrowding; all branches have initiated implementation of the new legislation, including through sustainable budget allocations	1.1 Existence of the new Criminal Code (1 — draft law initiated; 2 — draft law voted by each chamber; 3 — law promulgated by President)	April 2019	3 — New Criminal Code is promulgated	1 — Review of the draft completed by the justice and security commission of the Senate. Lower chamber has engaged in discussions with different actors to build support for the adoption of the draft.	
	1.2 Existence of the Code of Criminal Procedure (1 — draft law initiated; 2 — draft law voted by each chamber; 3 — law promulgated by President)	April 2019	3 — Code of Criminal Procedure is promulgated	1 — Review of the draft completed by the justice and security commission of the Senate. Lower chamber has engaged in discussions with different actors to build support for the adoption of the draft.	
	1.3 Existence of the Legal Aid Law (1 — draft law initiated; 2 — draft law voted by each chamber; 3 — law promulgated by President)	April 2019	3 — Legal Aid Law is promulgated	3 — Law on the creation, organization and functioning of the National Council on Legal Aid adopted by both chambers on 10 September 2018, transferred to President on 27 September and published in the official gazette on 26 October	

Benchmark	*Indicator*	*Target timeline*	*Target*	*Update as at 15 October (or otherwise specified)*	*Trend*
	1.4 Existence of the organic law on the Haitian National Police elevating Directorate of Prison Administration to a central directorate (1 — draft law initiated; 2 — draft law voted by each chamber; 3 — law promulgated by President)	April 2019	3 — Organic law on national police is promulgated	1 — Draft organic law is pending validation by the Director General of the national police.	
	1.5 Existence of the Prison Law (1 — draft law initiated; 2 — draft law voted by each chamber; 3 — law promulgated by President)	April 2019	3 — Prison Law is promulgated	1 — Draft prison law pending final validation by Directorate of Prison Administration	
	1.6 Identification of the implementation requirements by the relevant institutions, including budgetary allocations, for the new legislation (disaggregated by law)	October 2019	Implementation requirements, including budgetary allocations, are determined for new legislation	Identification of implementation requirements for: (a) Draft Criminal Code: not yet adopted (b) Code of Criminal Procedure: not yet adopted (c) Legal Aid Law: a technical committee on the implementation of the law has been set up by the Ministry of Justice and Public Security (d) Organic law on national police: not yet adopted (e) Prison Law: not yet adopted	
	1.7 Number of new case files processed in real time by the prosecutors in the jurisdiction of Port-au-Prince	October 2019	800 new case files processed in real time by the prosecutors in the jurisdiction of Port-au-Prince	October 2017–September 2018: 444 new cases processed in real time by Port-au-Prince jurisdiction prosecutors	

Benchmark	*Indicator*	*Target timeline*	*Target*	*Update as at 15 October (or otherwise specified)*	*Trend*
	1.8 Proportion of detainees in pretrial detention in excess of two years at the civil prison of Port-au-Prince	October 2019	50.4 per cent of detainees in pretrial detention at the civil prison of Port-au-Prince	15 October: 63.6 per cent (2,346 out of 3,690)	→
	1.9 Number of cases closed by investigative judges in the jurisdiction of Port-au-Prince	October 2019	750 orders issued	October 2017–September 2018: 365 orders issued	→
	1.10 Number of penal cases adjudicated by the court of first instance of Port-au-Prince	October 2019	800 penal cases adjudicated by the court of first instance of Port-au-Prince	October 2017–September 2018: court of first instance of Port-au-Prince adjudicated 411 penal cases	↘
2. The Haitian authorities make timely, gender-balanced and merit-based appointments in the justice sector, including in the Superior Council of the Judiciary, the Court of Cassation and the Superior Court of Audits and Administrative Disputes	2.1 Existence of the annual report of the Superior Council of the Judiciary, to include: judiciary staffing by gender; judiciary inspection results; number of certified judges; and implementation of judge evaluation process	April 2019	Annual report of the Superior Council of the Judiciary available, including: judiciary staffing by gender; judiciary inspection results; number of certified judges; and implementation of judge evaluation process	The report on the state of the judiciary is being revised by the Superior Council of the Judiciary. This report will then be used as a basis to start the Superior Council's annual report, which has not yet been initiated.	→
	2.2 Number of seats filled at the Superior Council of the Judiciary, the Court of Cassation and the Superior Court of Audits and Administrative Disputes, disaggregated by gender	April 2019	Superior Council of the Judiciary: 9/9 (3 women) Court of Cassation: 12/12 (4 women) Superior Court of Audits and Administrative Disputes: 9/9 (3 women)	(a) Superior Council of the Judiciary: 9/9 (0 women). (b) Court of Cassation: 6/12 (1 woman). On 30 August, the Senate launched for a second time this year a call to fill two of the vacant seats at the Court of Cassation, in order to complete the partial list previously submitted to the executive, which would allow for only four of the six vacant seats to be filled. The issue of the mandate of the President of the	↘

Benchmark	*Indicator*	*Target timeline*	*Target*	*Update as at 15 October (or otherwise specified)*	*Trend*
				Court of Cassation is not resolved. (c) Superior Court of Audits and Administrative Disputes: 9/9 (2 women)	
3. The Directorate of Prison Administration performs key management functions providing basic services to all detainees and ensures respect for their rights	3.1 Number of deaths per 1,000 inmates	October 2019	Ratio equal to or below 10/1,000 inmates	1 January to 15 October 2018: 11.8/1,000 inmates (100 deaths registered)	
	3.2 Number of prisons supported by functioning health services for inmates, disaggregated by gender	October 2019	Nine out of 18 prisons and four largest national police holding facilities supported by adequate health-care facilities for inmates	Seven out of 18 prisons supported by functioning health services for inmates	
	3.3 Number of Directorate of Prison Administration officers recruited through a dedicated process, disaggregated by gender, out of the 941 new officers required by 2021 to meet the Directorate's needs	October 2019	300 Directorate of Prison Administration officers recruited, of whom 30 per cent are women, out of the total 941 new officers to meet the Directorate's needs by 2021	61 recruits, including 9 women, graduated from the twenty-ninth promotion of the national police to be deployed to the Directorate of Prison Administration.	
	3.4 Number of prisons certified by the Directorate of Prison Administration as being able to operate without full-time support from international actors (MINUJUSTH or others)	October 2019	Nine prisons certified out of 18	Criteria for certification elaborated and draft evaluation survey validated by the Directorate of Prison Administration. Joint monitoring and evaluation committee of the Directorate and MINUJUSTH to oversee certification process also instituted	

Benchmark	*Indicator*	*Target timeline*	*Target*	*Update as at 15 October (or otherwise specified)*	*Trend*
4. The national police responds to public disorder and manages security threats throughout Haiti, demonstrating elevated levels of professionalism, human rights awareness and gender sensitivity, without requiring international support, as a result of the implementation of the relevant priorities of the strategic development plan of the national police for 2017–2021	4.1 Implementation rate of the strategic development plan of the national police for 2017–2021	October 2019	43 per cent implemented (57 of 133 priorities in strategic development plan)	The first annual evaluation of the strategic development plan for 2017–2021 has been completed. The overall rate of implementation of the plan is 27.6 per cent (no priority actions completed, 9 at an advanced stage, 39 initiated and 14 not started).	
	4.2 Number of police officers per 1,000 citizens	October 2019	1.45	1.37 (increase is due to the graduation of 692 cadets of the twenty-ninth promotion in September 2018)	
	4.3 Percentage of women police officers	October 2019	11 per cent	10 per cent (1,568 women out of 15,735 total)	
	4.4 Percentage of national police capacity statically deployed outside the Port-au-Prince metropolitan area	October 2019	40 per cent	34.2 per cent	
	4.5 Number of specialized public order units out of the 13 existing units of the national police (12 Unités départementales pour le maintien de l'ordre and 1 Compagnie d'intervention et de maintien de l'ordre) capable of responding to security threats with no MINUJUSTH support	October 2019	All 13 units are capable of responding to security threats with no MINUJUSTH support	A total of 6 of the 13 units operate without MINUJUSTH support	
	4.6 Percentage of public order/security operations planned and executed by national police without MINUJUSTH support	October 2019	100 per cent of operations without MINUJUSTH support	97 per cent of operations without MINUJUSTH support	

Benchmark	*Indicator*	*Target timeline*	*Target*	*Update as at 15 October (or otherwise specified)*	*Trend*
	4.7 Percentage of national budget allocated to national police	October 2019	8.0 per cent of national budget allocated to national police	6.6 per cent of national budget allocated to the national police. The amended budget for fiscal year 2017–2018 adopted on 30 August lists a slight decrease in the funds allocated to the national police	↘
5. Strengthened internal oversight and accountability mechanisms in the justice, corrections and police sectors address misconduct and ensure increased effectiveness and compliance with human rights	5.1 Number of courts of first instance inspected (out of 18) Number of appeal courts inspected (out of 5)	April 2019	All 18 courts of first instance and 5 appeal courts inspected by the Ministry of Justice	No inspection conducted. The Ministry of Justice and Public Security carried out preparatory activities with the support of MINUJUSTH, in order to perform inspection missions during the judicial year 2018–2019	↗
	5.2 Percentage of allegations of human rights violations against public officials (national police officers, Directorate of Prison Administration officials) investigated by the General Inspectorate of the national police	April 2019	80 per cent of all allegations investigated by the General Inspectorate of the national police	1 January–30 September: 84.3 per cent of allegations investigated against national police officers, including Directorate of Prison Administration agents (204 investigations out of 242 allegations received).	✓
	5.3 Percentage of confirmed misconduct by national police and Directorate of Prison Administration officers disciplined by the national police	April 2019	60 per cent of cases investigated have sanctions implemented	1 January–30 September: 6.8 per cent (13 cases have been sanctioned out of 190 allegations of misconducts against national police officers, including Directorate of Prison Administration officials, investigated by the General Inspectorate of the national police)	↘

Benchmark	*Indicator*	*Target timeline*	*Target*	*Update as at 15 October (or otherwise specified)*	*Trend*
	5.4 Percentage of confirmed crimes or human rights violations committed by national police and Directorate of Prison Administration officers prosecuted by judicial authorities	April 2019	100 per cent of confirmed crimes or human rights violations committed by national police officers prosecuted by judicial authorities	15 July–17 October: police officers were prosecuted in 7 per cent (4 out of 57) of the cases of alleged human rights violations.	
	5.5 Percentage of staff of the General Inspectorate of the national police deployed outside the Port-au-Prince metropolitan area, disaggregated by gender	April 2019	30 per cent of projected 340 staff of the General Inspectorate of the national police deployed outside the Port-au-Prince metropolitan area	October 2018: none of the 198 personnel assigned to the General Inspectorate of the national police are deployed outside the Port-au-Prince metropolitan area.	
6. Haitian women and men, in particular those from the most vulnerable and marginalized communities, demonstrate increased trust in the capability and willingness of the justice system to address crime and of the national police to provide security	6.1 Proportion of the population expressing satisfaction on how the national police performs at reducing crime	April 2019	88 per cent	The survey has yet to be undertaken.	
	6.2 Number of youth at risk and women benefiting from community violence reduction/reinsertion programmes demonstrating willingness to work with national police community policing initiatives and law enforcement authorities	April 2019	500 youth at risk and women cooperating with national police community policing and law enforcement authorities	458 at-risk youth and women cooperating with national police community policing and law enforcement authorities.	
	6.3 Number of victims of intentional homicide per 100,000 citizens, disaggregated by gender and age	April 2019	Rate of 9.3 or less of intentional homicide, disaggregated by gender and age	2018 (From January to 18 October): 6.22 equivalent to 591 intentional homicides out of which 535 victims were men, 37 women, 12 male minors and 7 female minors.	
	6.4 Number of kidnappings reported in the Port-au-Prince metropolitan area	April 2019	50 or fewer kidnappings reported in the Port-au-Prince metropolitan area	1 January–18 October 2018: 37 cases of kidnapping concerning 40 people (18 men and 22 women)	

Benchmark	*Indicator*	*Target timeline*	*Target*	*Update as at 15 October (or otherwise specified)*	*Trend*
	6.5 Number of gang-related incidents in the hotspot zones of Cité Soleil, Bel-Air and Martissant	April 2019	18 or fewer gang-related incidents in the hotspot zones of Cité Soleil, Bel-Air and Martissant	1 January–18 October 2018: 21 incidents	
	6.6 Number of sexual and gender-based violence cases investigated by national police, reflecting enhanced national police capacity	April 2019	At least 275 cases of sexual and gender-based violence are investigated	1 January–18 October 2018: 182 cases were investigated	
7. The national Office of the Ombudsperson functions independently and protects citizens whose rights have been violated	7.1 Level of compliance of the Office of the Ombudsperson with international standards on the work of national human rights institutions, and structural capacity to operate as an independent and effective institution in accordance with the Paris Principles	October 2019	A status according to Paris Principles	A status according to Paris Principles until next decision of the Global Alliance of National Human Rights Institutions due for May 2019	
	7.2 Number of recommendations of the Office of the Ombudsperson implemented by national rule of law institutions	April 2019	Three recommendations of the of the Ombudsperson implemented by national rule of law institutions	None	

Benchmark	*Indicator*	*Target timeline*	*Target*	*Update as at 15 October (or otherwise specified)*	*Trend*
8. Civil society organizations, including those representing women, engage with the Haitian authorities to advocate the promotion and protection of human rights, and are empowered to bring allegations of human rights violations to the competent judicial or administrative authorities	8.1 Number of alternative reports prepared and submitted by civil society organizations to international human rights mechanisms	April 2019	Two reports prepared and submitted by civil society organizations to international human rights mechanisms	No meetings or reviews by international human rights mechanisms in the reporting period	
	8.2 Number of cases reported by local civil society organizations monitoring human rights violations	April 2019	10 reports published by local civil society organizations monitoring human rights violations	Eight reports published by local civil society organizations monitoring human rights	
9. National authorities comply with international human rights obligations, including holding individuals responsible for current and past human rights violations and fulfilling their reporting obligations to human rights treaty bodies	9.1 Availability of national plan of action for human rights	October 2019	National plan of action for the implementation of the recommendations made by human rights mechanisms, in particular through the universal periodic review of the Human Rights Council	In September, Stéphanie Auguste was appointed Minister-delegate for Human Rights and the Fight against Extreme Poverty. The Minister-delegate leads the Inter-Ministerial Committee for Human Rights, the entity responsible for preparing the national action plan for human rights.	
	9.2 Number of recommendations made by the human rights mechanisms accepted by the Government of Haiti	April 2019	Three recommendations made by human rights mechanisms accepted by the Government of Haiti	No meetings or reviews by international human rights mechanisms in the reporting period. However, in September, the Government implemented two recommendations that had been made by the universal periodic review: accession to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.	

Benchmark	*Indicator*	*Target timeline*	*Target*	*Update as at 15 October (or otherwise specified)*	*Trend*
	9.3 Number of reports prepared and submitted to international human rights mechanisms by the Government of Haiti	April 2019	Two reports prepared and submitted to international human rights mechanisms by the Government of Haiti	No meetings or reviews by international human rights mechanisms in the reporting period	
	9.4 Appointment by the Government of Haiti of a high-level human rights focal point within the executive branch	April 2019	One high-level focal point within the executive branch appointed by the Government of Haiti	In September, the Prime Minister appointed Stéphanie Auguste as the Minister-delegate for Human Rights and the Fight against Extreme Poverty. The Minister-delegate replaces the Minister of Justice as human rights focal point.	
10. Rule of law and anti-corruption institutions demonstrate increased capacity to fight corruption	10.1 Availability of annual report on public spending by Superior Court of Audits and Administrative Disputes	April 2019	The annual report on public spending of Superior Court of Audits and Administrative Disputes is available	The report is pending publication.	
11. The Permanent Electoral Council is established through a credible and transparent process and exercises its electoral responsibilities in an independent and transparent manner, without requiring international support	11.1 Nomination by the three branches of their three members for the Permanent Electoral Council, with a view to establishing the Council as an operational and independent body	October 2019	The nine members are nominated and the Permanent Electoral Council is established, is operational and functions independently	Nomination process of the three representatives has been initiated by each branch.	
	11.2 Update of the electoral lists in preparation of the next electoral cycle	October 2019	The electoral lists are updated	Not yet undertaken	
	11.3 Existence of the Electoral Law in preparation of the next electoral cycle (1 — draft law initiated; 2 — draft law voted by each chamber; 3 — law promulgated by the President)	October 2019	3 — Electoral Law is promulgated	1 — Draft law was transmitted by the executive to Parliament on 14 November	

Annex II

Composition and strength of the police component of the United Nations Mission for Justice Support in Haiti as at 12 November 2018

	United Nations police officers		*Formed police unit members*	
Country	*Women*	*Men*	*Women*	*Men*
Argentina	1	9	–	–
Benin	–	22	–	–
Bangladesh	–	3	19	120
Burkina Faso	–	13	–	–
Brazil	–	–	–	–
Canada	6	11	–	–
Chad	1	5	–	–
Chile	1	1	–	–
Cameroon	5	1	–	–
Colombia	–	–	–	–
Côte d'Ivoire	1	19	–	–
Djibouti	–	1	–	–
El Salvador	–	2	–	–
Ethiopia	–	–	–	–
France	–	–	–	–
Germany	1	–	–	–
Guinea	–	2	–	–
India	–	–	–	280
Indonesia	–	–	–	–
Jordan	–	8	–	140
Madagascar	1	14	–	–
Mali	–	9	–	–
Mexico	–	1	–	–
Nepal	1	3	7	133
Niger	–	22	–	–
Nigeria	1	3	–	–
Norway	3	–	–	–
Pakistan	–	1	–	–
Philippines	–	–	–	–
Portugal	–	–	–	–
Republic of Korea	3	1	–	–
Romania	2	8	–	–
Russian Federation	–	5	–	–
Rwanda	–	6	14	126
Senegal	8	6	16	138
Slovakia	–	2	–	–
Spain	–	2	–	–

Country	*United Nations police officers*		*Formed police unit members*	
	Women	*Men*	*Women*	*Men*
Sri Lanka	–	1	–	–
Sweden	1	2	–	–
Togo	2	5	–	–
Tunisia	4	22	–	–
Turkey	–	12	–	–
Uruguay	–	1	–	–
United States of America	–	5	–	–
Subtotal	**42**	**228**	**56**	**937**
Total		**270**		**993**
				1 263

Annex III

United Nations Mission for Justice Support in Haiti: deployment map